

UpDated DRAFT Feb 20, 2002

***Memorandum of Understanding
Between the Puyallup Tribe and Region V Division of Children and
Family Services***

Introduction

The Puyallup Tribe has approximately 2600 members. The Tribe is federally recognized and has exclusive jurisdiction. The Tribe investigates all CPS referrals of Puyallup Tribal members living on Tribal lands. The Tribe has a long history of working in partnership with DCFS. The Tribe is licensed through DCFS as a Child Placing Agency and serves members who require out of home placement regardless of residence according to capacity. The Tribe currently has approximately 23 foster homes certified through the Tribal Child Placing Agency with approximately one third of these homes being licensed relative placements. Puyallup Tribal Children's Services serves approximately 90 children. Puyallup Tribe Children's Services has two CPS Social Workers, one Licensor, and three Child Welfare Social Workers along with a Director and Support Staff.

Purpose of Written Agreement

The Puyallup Tribe of Indians and the Division of Children and Family Services are committed to mutually supportive working relationship. Historically, the Puyallup Tribe and DCFS have worked closely in providing supportive services to Puyallup Tribal Members residing on the Puyallup Reservation as well as those members residing in Pierce and Thurston counties.

Both entities reaffirm ongoing efforts to ensure compliance with the requirements of the Federal Indian Child Welfare Act, which became law in 1978. DCFS acknowledges the sovereignty of the Puyallup Tribe of Indians and respects those laws enacted by the tribal council that governs its membership and those residing on the Puyallup Indian Reservation.

The Tribe and State have worked progressively towards a strong, trusting relationship. We agree to continue these strides. DCFS supports Exclusive Tribal Jurisdiction and Tribal regard for their most vested interest, their children. In respect to sovereignty, DCFS acknowledges that the Puyallup Tribe can have their needs addressed at each level of the Department and government.

The Puyallup Tribe and DCFS makes a commitment to open communication and sharing of information with regard to accessing and making services available to Puyallup Tribal members.

Investigations of Child Abuse and Neglect within the Puyallup Tribal Reservation

1. The Puyallup Tribe Children's Services will investigate allegations of child abuse and neglect made concerning Puyallup Tribal members residing within the Puyallup Indian Reservation, which includes Tribal Trust Lands. DCFS will participate in the investigation if asked to by the Puyallup Tribe.
2. When DCFS receives a referral of child abuse and neglect concerning a Puyallup Tribal member living within the Puyallup Tribe Reservation, CPS Intake will contact the Tribe by telephone and transmit the referral to Puyallup Tribe Children's Services as soon as possible normally within one working day. Referrals will be faxed to, Puyallup Tribe Children's Services at fax number (253) 573-7893.
3. The Puyallup Tribe Children's Services will not investigate allegations of child abuse or neglect for families living within the Puyallup Reservation if the families are members of another Tribe or non-Native American. This is in accordance with Puyallup Tribal Council Resolution.
4. DCFS and Puyallup Tribe Children's Services will coordinate child abuse and neglect investigations of families living on the Puyallup Tribe Reservation who are comprised of both Puyallup members and non-members. DCFS will participate in the investigation as requested by the Tribe.
5. The Tribal capacity to investigate referrals of child abuse and neglect is approximately fifteen referrals per month for each Tribal CPS social worker.
6. At the written request of the Director of the Puyallup Tribe Children's Services, DCFS will assign CPS referrals of Tribal members living within the Puyallup Tribe Reservation. These CPS referrals will be given to DCFS CPS intake for assignment and investigation. DCFS will assign these referrals to the DCFS ICW CPS Staff when possible.
7. DCFS staff investigating referrals of child abuse and neglect within the boundaries of the Puyallup Tribe Reservation will notify, Tribal Children's Services, prior to entering Tribal lands. telephone number is (253) 573-7819.
8. For child abuse and neglect allegations investigated by DCFS on Tribal Trust land, DCFS will contact Tribal Police if law enforcement is necessary for protective issues or for placing children into protective custody.
9. If dependency is necessary for Puyallup children investigated by DCFS, DCFS will file the dependency in Pierce or Kitsap County Juvenile Court according to where the family resides. If the Tribe requests that a Child in Need on Care (CINOC) be filed in Puyallup Tribal Court, DCFS will be available to testify in Tribal Court as a witness at the request of the Tribe.

10. DCFS will notify, Tribal Attorney, when DCFS files dependency on Puyallup Tribal members living on Tribal lands. If the Tribal Attorney is not available, telephone contact should be made with Puyallup Indian Child Welfare Liaison.

11. DCFS will designate a CPS Supervisor to act as liaison with the Puyallup Tribe.

Investigation of Allegations of Child Abuse and Neglect for Puyallup Tribal members Residing Outside of the Puyallup Tribe Reservation

1. DCFS will investigate all allegations of child abuse and neglect concerning on Puyallup Tribal members who reside outside of the Puyallup Tribe Reservation.
2. DCFS will notify the Puyallup Tribe Indian Child Welfare Liaison, as soon as possible normally within 24 hours after receiving a CPS referral on a Puyallup Tribal member living outside of the Reservation if the referral is accepted for investigation.
3. The Puyallup Tribe Indian Child Welfare Liaison and Puyallup Tribe Children's Services will consult with DCFS to assist in providing family centered services to Puyallup members. The Tribal staff will provide information on family members who may assist the family or be a placement resource for the children. Tribal staff will identify services available through the Tribe which may be helpful to families. Such services would include but not be limited to Puyallup Tribal Indian Health Authority, day care (Grandview Early Learning Center of the Puyallup Tribe), Kawachee Mental Health Services.
4. If dependency is necessary for Puyallup Tribal members living outside the boundaries of the Puyallup Tribe Reservation, DCFS staff will file dependency in Pierce or Kitsap County Juvenile Court depending on the family's county of residence.
5. DCFS will notify the Puyallup Tribe ICW Attorney, whenever DCFS files a dependency on Puyallup Tribal members living outside of the Puyallup Tribe Reservation.
6. The Puyallup Tribe ICW Attorney will notify DCFS when the Tribe is requesting to transfer court jurisdiction from Pierce/Kitsap County Juvenile Court to Puyallup Tribal Court. DCFS will in all cases support transfer of Puyallup members to Puyallup Tribal Court.
7. The Puyallup Tribe will provide DCFS a map identifying Puyallup Tribe Reservation boundaries and Tribal Trust land.
8. The Puyallup Tribe and DCFS agree that the safety of children is our highest priority. In cases of emergency, DCFS and the Tribe will take what measures are necessary to protect children. Case responsibility questions will be resolved on the next working day.

Services through the Puyallup Tribe Children's Services

1. The Puyallup Tribe is licensed as a Child Placing Agency and certifies foster homes throughout Pierce County and in adjacent counties as specified by the license. The Puyallup Tribe Child Placing Agency is administered by the Puyallup Tribe Children's Services.
2. All children served by the Puyallup Tribe Children's Services are under the jurisdiction of Puyallup Tribal Court if there is court involvement.
3. The Puyallup Tribe Children's Services will make foster care resources available to DCFS as capacity allows for Puyallup Tribal members and for other Native American Children served by DCFS. DCFS will authorize the "Borrowed Bed Fee" for placement of a child in a foster home licensed by the Puyallup Tribe Child Placing Agency. DCFS staff may access foster care resources available through the Puyallup Tribe by contacting the Tribal licensor.
4. For children placed by DCFS in a Tribal certified foster home, DCFS will maintain case management responsibility until the case is officially transferred to the Puyallup Tribal Court.
5. DCFS agrees to contact Puyallup Children's Services licensor, if there are any concerns about the care a child is receiving in a foster home certified by the Puyallup Tribe. The Puyallup Tribe recognizes that all child abuse and neglect issues will be reported to the Division of Licensed Resources by DCFS staff.
6. DCFS will authorize payments for children served by the Puyallup Tribe Children's Services using the eligibility criteria for children served by DCFS. Services will include Foster Care services, Homebased services, Family Preservation Services, Intensive Family Preservation Services, Sexually Aggressive Youth, and Independent Living Skills.
7. DCFS Region V will continue to make five Behavioral Rehabilitation Slots available to the Puyallup Tribe Children's Services. These slots may be accessed through the Region V BRS Coordinator.
8. DCFS will designate a staff person to act as a liaison with the Puyallup Tribe Children's Services. The liaison will make services available to children served by Puyallup Tribe Children's Services.

Adolescent Services

1. DCFS will accept FRS referrals from Puyallup Tribe Children's Services. The Puyallup Tribal staff will clarify to families that FRS is a voluntary service. DCFS and Puyallup Tribal Children's Services will collaborate on FRS cases of Puyallup Tribal members.
2. Puyallup Tribal Police may place children into the Secured Crisis Residential Center by contacting DCFS/FRS unit during working hours or the DCFS After Hours Unit on evenings, holidays, and weekends. Either Unit may be reached by telephoning 1 (800) 422-7556. The

Secured CRC serves youth who are runaways or determined by law enforcement to be in a dangerous situation.

3. DCFS recognizes that some adolescent Puyallup members will continue to be served by DCFS. DCFS will designate a liaison with the Puyallup Tribe for Puyallup adolescents continuing to be served by DCFS.
4. DCFS will notify the Puyallup Tribe Indian Child Welfare Liaison, of court dates for Puyallup adolescents served by DCFS. DCFS will consult with ICW Director regarding case issues of these adolescents and services available to them through the Tribe. The assigned DCFS social worker will make referrals to the Independent Living Skills Program for Puyallup adolescents served through DCFS

Problem Solving

Disputes and disagreements will be addressed in a timely manner. It is the expectation of the Tribe and DCFS that staff at all levels will inform their immediate supervisor of any unresolved issues. If supervisors are unable to resolve the conflict, a meeting will be scheduled with the Director of Puyallup Tribe Children's Services and the appropriate Area Administrator. If the conflict continues, a meeting will be scheduled between the Director of Puyallup Tribe Children's Services and the DCFS Regional Administrator for resolution of the conflict.

Modification of Agreement

The Puyallup Tribe or DCFS may request a modification of this agreement at any time. This agreement will be reviewed during the annual 7.01 planning process and updated as necessary.

Director of Puyallup Tribe Children's Services
Tara Reynon

Date

Puyallup Executive Officer of Services
Bill Veliz

Date

DCFS Region V Regional Administrator
Christine Robinson

Date

Chairman of the Puyallup tribe of Indians
the Honorable Herman Dillon, Sr.

Date

